

CITY OF MILFORD
REGULAR MEETING
MARCH 2, 2010
MINUTES

A regular meeting of the Mayor and Council of the City of Milford, Nebraska was held at the Webermeier Library Building in said City on the 2nd day of March 2010 at 7:30 pm. Present were: Mayor Dean Bruha; Council members: Jeff Baker, Jeff Heckman, Dan Kral; Attorney Robert Blevens; Chief of Police Forrest Siebken; Maintenance Supt. Mark Frey and City Clerk Jeanne Hoggins. Absent: Council member Rick Fortune. Also present: Brian Bashore and Nancy McGill with the press.

Notice of the meeting was given in advance thereof by publishing in the Milford Times; a designated method for giving notice, as shown by the Affidavit of Publication attached to these minutes. Notice of the meeting was given to the Mayor and all members of the Council and a copy of their acknowledgement of receipt of notice and the agenda is attached to these minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

CALL TO ORDER: Mayor Bruha called the meeting to order at 7:34 p.m. Mayor Bruha publicly stated to all in attendance that a current copy of the Nebraska Open Meetings Act is available for review and is posted on the east wall of the Webermeier Community Meeting Room.

MINUTES: A motion was made by Baker and seconded by Kral to approve the minutes of the February 2, 2010 meeting. Roll call vote: Baker yes, Kral yes, Fortune absent, Heckman yes. Motion carried.

PAYMENT OF BILLS: A motion was made by Heckman and seconded by Kral that the following bills in the amount of \$49,140.42 and payroll in the amount of \$30,670.74 approved by the Auditing Committee be approved for payment. Roll call vote: Heckman yes, Kral yes, Baker yes, Fortune absent. Motion carried.

SALARIES:

49230	Mark Frey	1466.20
49231	Forrest K Siebken	1379.08
49232	Mavis Lynn Ferris	56.92
49233	Jeanne M Hoggins	1359.30
49234	Gary Lee TeSelle	926.01
49235	Robert L Hull	906.17
49236	Beverly J Wehrs	585.92

49237	David R Dahle	1177.83
49238	Philip Winkelmann	1006.91
49239	George A Matzen	596.17
49240	Tracy L Yeackley	681.03
49241	Courtney L Bashore	80.35
49242	Anna E Tremmel	147.30
49243	Tiffany Fougeron	268.20
49244	Benjamin L Rediger	866.56
49245	Craig A Corder	1023.39
49246	Jay DJ Stoll	976.36
49247	Sheri A Rohrer	132.98
49297	Mark Frey	1463.05
49298	Forrest K Siebken	1379.08
49299	Mavis Lynn Ferris	46.86
49300	Jeanne M Hoggins	1359.30
49301	Gary Lee TeSelle	1002.81
49302	Robert L Hull	906.17
49303	Beverly J Wehrs	557.32
49304	David R Dahle	1052.47
49305	Philip Winkelmann	1024.97
49306	George A Matzen	596.17
49307	Tracy L Yeackley	648.31
49308	Courtney L Bashore	147.30
49309	Anna E Tremmel	80.35
49310	Tiffany Fougeron	294.22
49311	Benjamin L Rediger	859.40
49312	Craig A Corder	1130.46
49313	Jay DJ Stoll	451.67
49314	Sheri A Rohrer	295.37
49316	Ricky G Fortune	138.52
49317	Dean A Bruha	184.70
49318	Jeffrey M Baker	138.52
49319	Jeff L Heckman	138.52
49320	Dan V Kral	138.52
GENERAL FUND:		
49226	Amy Bacon – WA/SW Deposit Refund	50.00
49227	Jared Jenkins – WA/SW Deposit Refund	71.00
49228	Milford Dairy Queen – WA/SW Deposit Refund	50.00
49229	US Postmaster – Utility Billing Postage	169.30
49248	Ameritas Group – Pension, Pension X	1662.98
49249	American Building Inspectors – Inspections/Fees	760.00

49250	Ameritas Group – Dental & Vision	956.60
49251	Aramark Uniform – Pants & Rags	918.04
49252	Berry – Directory Advertising	15.20
49253	Best Way, Inc. – Signs for Snow Removal	224.12
49254	Black Hills Utility Holdings – Service for January	575.95
49255	California Contractors – Ear Plugs	79.90
49256	Constellation NewEnergy – Service for January	2257.83
49257	Crestview Care Center – January Meals	570.50
49258	Culligan Water Conditioning – Soft Water	20.00
49259	Deep Rock – Drinking Water	39.95
49260	Digitec – Updates for Well Controls	3400.00
49261	Diode Communications – Service for January	54.16
49262	Eakes Office Plus – Ribbon, Notary Stamp, Receipts	368.45
49263	Farmer’s Cooperative – January Gas/Diesel, Tire	1070.43
49264	Great Plains – One Call Service – Locate Requests	3.86
49265	Hydraulic Equipment Service – Packing	9.94
49266	IKON Office Solutions – Additional Images	283.71
49267	Image Trend – Support	250.00
49268	Kremer Electric – Hookup VFD Well house 3	450.35
49269	Linweld – Oxygen, Med Gas, Spec Gas	358.36
49270	Menard’s – Door, Door Knob	115.01
49271	Milford A/C & Appliance – Fan Relay, Trip Charge	139.50
49272	Milford Valu-Rite Pharmacy – Batteries	18.87
49273	Momar – Weed Killer	362.18
49274	Mutual of Omaha – Disability	23.94
49275	NE Dept of Revenue – Sales Tax for January	1308.14
49276	Nebraska Motor Parts – Trailer Connector, Antifreeze	33.14
49277	Nebraska Public Health – Coliform Test	32.00
49278	NPPD – Service for January	5468.88
49279	Nebraska Tech & Telecomm – Service for January	413.65
49280	Overhead Door Co. of Lincoln – Keypad	45.00
49281	Paper Tiger Shredding – Minimum Pickup	75.00
49282	Police Chief’s Association of NE – Annual Dues	30.00
49283	Rediger Chevrolet – Alternator, Battery, Labor	624.28
49284	Roxanne Roth – Cleaning Services	320.00
49285	Scott Burroughs – Battery, Shipping	285.00
49286	Seward Co. PPD – Wells 1 & 2	460.59
49287	Seward County Independent – Notices, Minutes, Ads	133.54
49288	Shell Fleet Plus – Gas	138.33
49289	Shell Fleet Plus – Car Gas	38.74
49290	The Garbage Company – Service for January	139.35

49291	Verizon Wireless – Dept Cellular, Access Fees	667.95
49292	Windstream Nebraska – Local & Internet	262.82
49293	Aflac – Dis, Cancer, Acc, Suppl	463.96
49294	Coventry Health Care – Health Insurance	9469.82
49295	Fort Dearborn Life Ins – Life Insurance	113.52
49296	Shell Fleet Plus – Fuel Expense	696.17
49315	Ameritas Group – Pension, Pension X	1563.78
49321	Advanced Graphix Inc. – Graphics Kit for Truck	374.50
49322	Baker & Taylor – Books	760.50
49323	Berry – Directory Advertising	15.20
49324	Blevens Law Office – Legal Service for February	350.00
49325	City of Milford – Petty Cash	37.68
49326	Demco – CD Covers, Book Covers	978.77
49327	Emergency Medical Products – Gloves, Gauze	572.03
49328	Gale – Books	155.42
49329	Great American Leasing – Meter Rental	80.00
49330	Heartland Auto Body – Drivers Side Window Repair	94.00
49331	Heartsong Presents – Books	10.99
49332	Hyraulic Equipment – Repair Cylinder, O-Ring	93.12
49333	Midwest Heating & Air Cond. – Repair Furnace	120.00
49334	Milford Free Press – Want Ad	18.38
49335	Milford Mini Mart – Cat food	2.84
49336	Milford Plumbing – Copper & Fitting, Service	204.40
49337	Milford School Dist. #5 – Parking Fines, Tobacco Lic.	70.00
49338	Municipal Supply – 12 Water Meters	2246.82
49339	O’Reilly Auto Parts – Alternator for ’04	265.99
49340	Olsson Associates – Building Projects	1600.00
49341	Pizza Kitchen – Catered Meal	62.50
49342	Racom Corp – Replace Shoulder Mic for Portable	147.02
49343	Roxanne Roth – Cleaning Services	180.00
49344	St. Paul Stamp Works – Golf Cart License	102.10
49345	Subway Motors – Starter, Thermostat, Antifreeze	427.13
49346	Superior Lamp – Lamp for Shop	338.05
49347	TeSelle Services – Meets, Meal, Mileage	133.19
49348	The Hearst Corporation – Magazine	26.00
49349	Tracy Yeackley – Clerk Meeting & Meal	29.70
49350	Union Bank – Gary TeSelle Account	447.20
49351	Verizon Wireless – New Cell Phones, Service	616.08
49352	Walmart – Movies, Scissors, Headsets, Brushes	308.72

REPORTS OF OFFICERS, BOARDS AND COMMITTEES: Written reports received were Housing Authority minutes for February 18, 2010;

Library Board Minutes for February 18, 2010; Milford Aging Services Board minutes for February 23, 2010; Board of Adjustments minutes for February 15, 2010; Police Dept. activity report for February 2010; Milford Rescue NARSIS report for February 2010; Milford Fire Dept. report for November thru February 2010. Heckman reported that SENDD will announce awards for the Energy Efficient Grant in May. Out of a pool of 12 million dollars worth of applicants, 8 million dollars will be awarded. Heckman is hopeful and feels we have a good solid plan. Kral – Fire and Rescue reports have been submitted. Frey reported on a grant application to receive \$1500.00 to provide computer controls for the wells. Chief Siebken reviewed the activity report for February and noted the resignation of Police Officer Jay Stoll as of February 16, 2010. He also informed the Council that \$51,000.00 was seized thru immigration/customs with 80% going to the County and approximately \$4,000.00 coming back to the City of Milford Police Dept. Baker visited with SENDD regarding the siren grant and the individual that was working on the project has left and we now have a new representative. She informed Baker that Milford’s application only showed a request for 1 siren and we definitely budgeted and requested 2. We are hoping that there are enough funds to purchase 2 sirens. Meetings are being scheduled to discuss responsibility for repairs of the sirens since they will be owned by SENDD. Baker also noted that Arbor Day is approaching (April 30, 2010) and to meet the requirements for Tree City U.S.A. we must hold a ceremony to plant a tree. Mayor Bruha and Council member Baker will work together to provide this ceremony. Kral received a letter stating there are individuals in town that would be willing to raise \$80,000.00 toward the pool improvements if the City would kick in \$40,000.00. Discussion on this matter will be held at a later date.

COMMUNICATIONS: *Sales tax received for the month of December 2009 was \$13,472.11. *NPPD fourth quarter 2009 Lease Agreement payment received in the amount of \$34,552.42. *Galaxy Cablevision annual Franchise fee received in the amount of \$6,702.57. *Mayor Bruha invited the City Council to review the document received by Lana Rourke regarding the future of the Seward County Economic Development.

NEW BUSINESS:

Introduction and Adoption of Ordinance – Close Public Parks from 12:00 midnight to 6:00 am: Baker reported that Fortune requested by e-mail a provision be added to the ordinance allowing use of the Parks for special occasions after a permit is issued thru the City Office. Council member Baker introduced the following ordinance with a verbiage change to read: “All municipal parks including but not limited to”

ORDINANCE NO. 832

AN ORDINANCE TO REGULATE THE HOURS OF PUBLIC ACCESS TO ALL MUNICIPAL PARKS, INCLUDING BUT NOT LIMITED TO WELCH PARK, UPTOWN PARK AND SOUTH PARK; TO PROVIDE FOR ISSUANCE OF SPECIAL PERMITS AND CONDITIONS FOR AFTER HOURS EVENTS WITHIN A MUNICIPAL PARK; TO PRESCRIBE A PENALTY FOR VIOLATION HEREOF TO PRESCRIBE THE TIME THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT; AND TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH. (See Ordinance Record)

Approve Firework Application: A motion was made by Heckman and seconded by Kral to approve the permit application from Ka-Boomers to sell fireworks at 410 South State Hwy 6 from June 24 to July 5, 2010. Roll call vote: Heckman yes, Kral yes, Baker yes, Fortune absent. Motion carried.

City Code Update – International Property Maintenance Code: Mayor Bruha presented an Ordinance that was approved by the City of Lincoln at their last meeting. The International Property Maintenance Code is designed to regulate and govern the conditions and maintenance of residential property, buildings, and structures; to provide essential utilities and ensure that structures are safe, sanitary and fit for occupation and also the demolition of existing structures unfit for human occupancy. Mayor Bruha would like the Council to review and consider a similar ordinance for the City of Milford. Bruha noted occasions when he was approached about unsafe living conditions and the occupant was afraid to notify the landlord in fear of being evicted. Bruha suggested that rental properties have an annual inspection and if they pass than an occupancy certificate will be awarded. Baker questioned who would conduct these inspections? Attorney Blevens and Mayor Bruha both agreed that the Building Official should perform the inspection. Kral indicated that an inspection performed prior to a tenant moving in would be more beneficial to record any damage that may need to be repaired on the landlords behalf. Kral also questioned the economics of annual inspections. This could get quite costly for properties that are well maintained. Inspections for a reasonable cause, makes more sense. The Fire Dept. or the Police Dept. may refer inspection requests to the Building Official. Item will be discussed again at a later date.

Dan Troyer Property – Permit Compliance Delinquency: Mayor Bruha noted that since the change of the Comprehensive Plan, Troyer has applied for a new building permit but has failed to provide a legal property survey. A second notice letter has been sent to Troyer notifying him of the request and still not response. Bruha suggested fining Troyer \$100.00 per day from the time that he was ordered to cease and desist construction to the time that the change was made to the Comprehensive Plan. Blevens discouraged that

action due to the Council's change of the Comprehensive Plan. Discussion was held regarding the inspections that still need to be made and the comments made to Bruha during construction about the plumbing and sewer code violations. It was suggested that Attorney Blevens and Building Official Bill Fuelling meet and list all the issues of concern and present this list to Troyer. Council members Baker and Kral would like to be present during this meeting.

ADJOURNMENT: A motion was made by Kral and seconded by Heckman to adjourn the meeting. Roll call vote: Kral yes, Heckman yes, Baker yes, Fortune absent. Motion carried and meeting adjourned at 8:45 pm.

Jeanne Hoggins, City Clerk

Dean A. Bruha, Mayor

CERTIFICATION

I, the undersigned, City Clerk of the City of Milford, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on March 2, 2010 that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

(SEAL)

Jeanne Hoggins, City Clerk